

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Second Legislature*

OF THE

STATE OF MAINE

1945

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

**SENATE**

Thursday, March 1, 1945.

The Senate was called to order by the President.

Prayer by the Rev. Wesley U. Riedel of Augusta.

Journal of yesterday read and approved.

From the House:

Bill "An Act Creating a Board of Examiners for Electricians." (H. P. 1303) (L. D. 948)

(In the Senate on February 23rd, referred to the Committee on Legal Affairs in non-concurrence.)

Comes from the House, that body having insisted on its former action whereby the bill was referred to the Committee on Judiciary.

In the Senate: On motion by Mr. Brown of Aroostook, the Senate voted to recede and concur with the House in the reference of the bill to the Committee on Judiciary.

**Joint Order**

ORDERED, the Senate concurring, that there be paid to the Representatives at the Legislature of the Penobscot and Passamaquoddy Tribes of Indians, the amount fixed by law for their attendance, together with mileage." (H. P. 1317)

Which was read and passed in concurrence.

Papers from the House referred in concurrence.

From the House:

"Resolve Providing for a State Pension for Mabel Gordon Dunn, of Vienna." (H. P. 1318)

Which was received by unanimous consent and referred to the Committee on Pensions in concurrence.

**House Committee Reports**

The Committee on Judiciary on Bill "An Act Repealing the Maine Civilian Defense Corps," (H. P. 877) (L. D. 440) reported that legislation thereon is inexpedient.

The Committee on Salaries and Fees on Bill "An Act Relating to the Compensation of the County Commissioners of Penobscot County," (H. P. 101) (L. D. 32) reported that leave be granted to withdraw the same.

The Committee on Agriculture on Bill "An Act to Authorize Searles P. Clement to Practice Veterinary Surgery, Medicine, and Dentistry," (H. P. 487) (L. D. 198) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to the Sale of Ice," (H. P. 307) (L. D. 107) reported that the same ought not to pass.

The Committee on Judiciary on Bill "An Act Relating to Disclosure Commissioners," (H. P. 952) (L. D. 576) reported that the same ought not to pass.

The Committee on Legal Affairs on Bill "An Act Relating to the State Racing Commission," (H. P. 970) (L. D. 586) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Public Dumping Grounds," (H. P. 1083) (L. D. 806) reported that the same ought not to pass.

The Committee on Public Utilities on Bill "An Act Creating the Madawaska Utilities District," (H. P. 987) (L. D. 550) reported that leave be granted to withdraw the same.

The Committee on State Lands and Forest Preservation on "Resolve Authorizing the Forest Commissioner to Convey Certain Land in Aroostook County to Thomas Guerette, of Guerette," (H. P. 743) (L. D. 411) reported that the same ought not to pass.

The same Committee on "Resolve Authorizing the Forest Commissioner to Convey Certain Land in Washington County to George Wingate, of Hallowell," (H. P. 744) (L. D. 412) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Agriculture on Bill "An Act Relating to the Bee Industry," (H. P. 306) (L. D. 113) reported that the same ought to pass.

The Committee on Judiciary on Bill "An Act Relating to State Bureau of Identification," (H. P. 946) (L. D. 526) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Assignment of Counsel by the Superior Court," (H. P. 824) (L. D. 428) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Jurisdiction of Violations of the Inland Fisheries and Game Laws," (H. P. 823) (L. D. 427)

reported that the same ought to pass.

Which reports were severally read and accepted in concurrence, the bills read once and tomorrow assigned for second reading.

The Committee on Judiciary on Bill "An Act Relating to Absent Voting," (H. P. 953) (L. D. 577) reported that the same ought to pass as amended by Committee Amendment "A."

Which report was read and accepted in concurrence, Committee Amendment "A" was read and adopted in concurrence, the bill as amended read once and tomorrow assigned for second reading.

The Committee on Taxation on Bill "An Act Relating to the Assessment and Collection of State, County and Forestry District Taxes in Unorganized Territory," (H. P. 446) (L. D. 173) reported that the same ought to pass as amended by Committee Amendment "A".

Comes from the House, report read and accepted, and passed to be engrossed as amended by Committee Amendment "A" and by House Amendment "A".

In the Senate, the report of the Committee was accepted in concurrence and the bill was given its first reading.

Committee Amendment A was read.

Thereupon, on motion by Mr. Bishop of Sagadahoc, the bill and accompanying papers were laid upon the table pending adoption of Committee Amendment "A" in concurrence.

#### Orders

On motion by Mr. Brown of Aroostook, it was

ORDERED, that the sum of three hundred dollars (\$300.00) be paid to the Senate Reporter to reimburse him for expense of additional reporting assistance.

On motion by Mr. Brown of Aroostook, it was

ORDERED, that the Secretary of the Senate be directed to send flowers to Mrs. Chester T. Winslow, wife of the Assistant Secretary of the Senate who is ill in the hospital; to Mrs. Ruth Foster, Page of the Senate who is also ill; and to Noyes Wheeler, Doorkeeper of the Senate, who is ill.

On motion by Mr. Denny of Lincoln, it was

ORDERED, that five hundred (500) additional copies be printed of (S. P. 355) (L. D. 908) Bill "An Act Governing the Production of Milk and Cream."

#### Senate Committee Reports

Mr. Dow from the Committee on Judiciary on Bill "An Act to Eliminate Needless Duplication in Travel in State Departments," (S. P. 246) (L. D. 638) reported that the same ought not to pass.

The same Senator from the same Committee on Bill "An Act to Provide for a State Garage and for Purchase and Use of State-Owned Automobiles," (S. P. 247) (L. D. 637) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Dunbar from the Committee on Judiciary on Bill "An Act Relating to the Determination of Mentally Defective Children," (S. P. 318) (L. D. 833) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Reference or Compromise," (S. P. 245) (L. D. 639) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Settlement of Suits," (S. P. 244) (L. D. 640) reported that the same ought to pass.

Mr. McKusick from the Committee on Motor Vehicles on Bill "An Act Relating to the Transportation of Poles," (S. P. 235) (L. D. 479) reported that the same ought to pass.

Mr. Owen from the Committee on Education on Bill "An Act to Extend Opportunities for Secondary Education to Island Children," (S. P. 239) (L. D. 645) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act to Extend Opportunities for Secondary Education to Children Residing on the Islands Classified as Unorganized Territory," (S. P. 238) (L. D. 646) reported that the same ought to pass.

Which reports were severally read and accepted, the bills read once and tomorrow assigned for second reading.

**Passed to be Engrossed**

"Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Aroostook County to Albert Ouellette, of Sinclair." (H. P. 349) (L. D. 156)

Bill "An Act to Provide for the Surrender by Moro Plantation of Its Organization." (H. P. 356) (L. D. 104)

Bill "An Act Relating to Towns Placed Under Supervision of Agents of the Commissioner of Education." (H. P. 416) (L. D. 186)

Bill "An Act to Create a Division of Special Education for Physically Handicapped Children." (H. P. 417) (L. D. 187)

(On motion by Mr. Owen of Kennebec, tabled pending passage to be engrossed in concurrence.)

"Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Penobscot County to John Sharpe, of Argy'e." (H. P. 443) (L. D. 195)

Bill "An Act Enabling Board of Managers of the Jefferson Cary Hospital Fund to Accept Gifts or Legacies" (H. P. 521) (L. D. 206)

Bill "An Act Relating to Notice of Election of Town Treasurer." (H. P. 551) (L. D. 262)

Bill "An Act to Permit Direct Payments of State School Funds and Dog License Fees." (H. P. 552) (L. D. 219)

Bill "An Act Relating to Teacher Assistance in Rural Areas." (H. P. 631) (L. D. 304)

Bill "An Act Relating to Licenses for Portable Sawmills." (H. P. 682) (L. D. 275)

Bill "An Act Relating to Sellers and Weighers of Coal and Coke." (H. P. 829) (L. D. 434)

Bill "An Act Amending the Charter of the Brunswick and Topsham Water District." (H. P. 846) (L. D. 447)

Bill "An Act Relating to Town By-laws and Ordinances for Trailer Camps." (H. P. 1081) (L. D. 774)

Which were severally read a second time and passed to be engrossed in concurrence.

Bill "An Act Relating to the Chief Engineer and Assistant of the City of Lewiston." (H. P. 428) (L. D. 236)

Which bill was read a second time and passed to be engrossed, as amended, in non-concurrence.

Sent down for concurrence.

Bill "An Act to Regulate the Practice of Architecture and to Create a Board to Provide for the Examination and Registration of Architects." (S. P. 103) (L. D. 178)

(On motion by Mr. Bishop of Sagadahoc, tabled pending passage to be engrossed.)

**Passed to be Enacted**

Bill "An Act to Dissolve the Portland and Ogdensburg Railway." (S. P. 40) (L. D. 4)

Bill "An Act Relating to the Definition of Chiropractic Service." (S. P. 65) (L. D. 44)

Bill "An Act Relating to the Use of the Prefix "Dr." by Chiropractors." (S. P. 66) (L. D. 45)

Bill "An Act Relating to the Examination of Applicants for the Practice of Chiropractic." (S. P. 67) (L. D. 46)

Bill "An Act Relating to Sale by Commissioner of Inland Fisheries and Game of Arms and Ammunition." (S. P. 100) (L. D. 181)

Bill "An Act Relating to Intoxication." (S. P. 101) (L. D. 130)

Bill "An Act Relating to the Educational Requirements for Chiropractic Qualifications." (H. P. 155) (L. D. 52)

Bill "An Act Relating to Termination on Certification for the Practice of Chiropractic." (H. P. 156) (L. D. 53)

Bill "An Act Relating to Use of Gill Net in Taking White Fish." (H. P. 321) (L. D. 108)

Bill "An Act Relating to Outdoor Advertising." (S. P. 325) (L. D. 105)

Bill "An Act Relating to the Deposit of Bonds, Notes, Etc. of the United States of America." (H. P. 408) (L. D. 163)

Bill "An Act to Simplify Payments by Employees' Retirement System." (H. P. 420) (L. D. 190)

Bill "An Act Relating to the Expense Fund of the State Employees' Retirement System." (H. P. 421) (L. D. 191)

Bill "An Act to Authorize Penobscot County Water Company to Supply the Inhabitants of the Town of Eddington with Water for Domestic and Other Purposes." (H. P. 439) (L. D. 193)

Bill "An Act Relating to Castine Game Preserve." (H. P. 510) (L. D. 246)

Bill "An Act Relating to the Registration of Voters." (H. P. 526) (L. D. 257)

Bill "An Act Amending the Charter of the City of Bangor." (H. P. 528) (L. D. 209)

Bill "An Act Relating to the Fire Department of the City of Portland." (H. P. 531) (L. D. 211)

Bill "An Act Relating to Municipal Planning and Zoning." (H. P. 553) (L. D. 212)

Bill "An Act Relating to Duties of Town Clerks as to Discharges of Soldiers and Sailors." (H. P. 657) (L. D. 298)

Bill "An Act to Make Valid the Acts and Doings of Riverside Cemetery Association of Cape Elizabeth and to Authorize the Transfer by that Association and the Acceptance by the Inhabitants of the Town of Cape Elizabeth of that Association's Cemetery and Trust Fund." (H. P. 651) (L. D. 317)

Bill "An Act Relating to the Rules and Regulations of Nasson College." (H. P. 654) (L. D. 264)

Bill "An Act Amending the Charter of the City of Bangor." (H. P. 659) (L. D. 267)

"Resolve in Favor of John H. Perkins of Brunswick." (H. P. 507) (L. D. 248)

#### Emergency Measures

Bill "An Act to Confer Jurisdiction upon the United States District Court of Maine." (H. P. 327) (L. D. 110)

Which bill being an emergency measure and having received the affirmative vote of 28 members of the Senate and none opposed, was passed to be enacted.

Bill "An Act Providing for the Proof of Wills Where Subscribing Witnesses Are Unavailable, By Reason of Service in the Armed Forces of the United States." (H. P. 650) (L. D. 299)

Which bill being an emergency measure and having received the affirmative vote of 29 members of the Senate and none opposed, was passed to be enacted.

#### Orders of the Day

On motion by Mr. Leavitt of Cumberland, the Senate voted to take from the table, Bill An Act to Abolish Taxation of Intangibles (H. P. 1009) (L. D. 530) tabled by that Senator on February 14th pending reference in concurrence; and on further motion by the same Senator the bill was referred to the Committee on Taxation in concurrence.

On motion by Mr. Leavitt of Cumberland, the Senate voted to take from the table, Resolve Proposing an Amendment to the Constitution to Exempt all Intangible Property from Taxation (H. P. 1264) (L. D. 387) tabled by that Senator on February 21st pending reference in concurrence; and on further motion by the same Senator the Resolve was referred to the Committee on Taxation in concurrence.

On motion by Mr. Owen of Kennebec, the Senate voted to take from the table, Bill, An Act to Create a Division of Special Education for Physically Handicapped Children (H. P. 417) (L. D. 187) tabled by that Senator earlier in today's session pending passage to be engrossed in concurrence; and on further motion by the same Senator the bill was passed to be engrossed in concurrence.

On motion by Mr. Noyes of Hancock

Adjourned until tomorrow morning at ten o'clock.